

Memorandum

To: Northwestern Community
From: Lane Campbell, Director, Office for Export Controls Compliance
Date: February 2, 2018
Re: Guidance On Taking Devices Outside the United States

Northwestern faculty, staff and students (“Travelers”) commonly bring their laptops, cell phones, and other portable storage devices containing information and software (“Devices”) with them not only across campus, but also to other countries. Taking Devices to international destinations is routine and generally acceptable. However, in some circumstances, Travelers doing so may be improperly “exporting”¹ the Device and its information under the U.S. export control laws and regulations. Such “exports” may require a license from the federal government. As a result, Travelers must be familiar with the applicable export control regulations, and strive to comply, because violations can result in the imposition of criminal sanctions and heavy civil penalties.

Situations when Travelers must exercise particular caution before leaving the country with their Devices include:

- (1) Travel to an embargoed country (currently Cuba, Iran, North Korea, Sudan, and Syria, and the Crimea Region of the Ukraine, though such restrictions do change periodically);**
- (2) Travel with Devices containing unpublished technical data or information designed for use or application with items or materials on one of the technology control lists established by the federal government;² and**
- (3) Travel with Devices holding certain strong encryption software, either commercially available or research-generated.**

Travelers in these situations, or in any case when a Traveler would like guidance on compliance with the export control regulations, are urged to [contact the Office for Export Controls Compliance for assistance](#).³

To mitigate risk, Travelers might consider using a “clean” laptop,⁴ ensuring that no sensitive information is compromised while traveling. Maintaining control over the Device for the duration of travel further reduces the risk of a potential violation.

The licensing requirements – and exceptions – that apply to the transport of Devices outside the United States must be reviewed carefully. Please [contact the Office for Export Controls Compliance for assistance](#).

This memorandum is designed to provide only general guidance on a complex issue. If you think you might need a license or need to rely on an exclusion or exception, or if you have any questions or need more detailed information about this topic, please contact:

Lane Campbell
Director, Office for Export Controls Compliance
lcampbell@northwestern.edu
Phone: 847-467-4063

¹ “Export” here is defined as an actual shipment or transmission of items subject to export controls out of the United States, or release of technology or software subject to export controls to a foreign national in the United States. Release of export-controlled technology and source code can also occur through transmission via e-mails, faxes, and oral or written correspondence.

² The federal government publishes the Commerce Control List, 15 C.F.R. 774, Supp. 1, and the United States Munitions List, 22 C.F.R. 121.

³ Additional guidance on staying secure during travel can be found at the NUIT website: <http://www.it.northwestern.edu/security/travel.html>; also, the U.S. State Department publishes travel alerts and warnings at: <http://travel.state.gov/content/passports/english/alertswarnings.html>.

⁴ A “clean” laptop is one that does not include any proprietary or sensitive information, including unpublished information that might be subject to confidentiality restrictions. Please [contact the Office for Export Controls Compliance](#) for further information.